

Objective:

Purpose

This policy affirms Workforce Plus and its partner Management Governance Australia (MGA) commitment to privacy and its approach to the responsible handling of personal, sensitive and health information in all its forms, consistent with relevant legislation.

Overview

Workforce Plus is a not for profit organisation under Victorian law and operates on Aboriginal Country of the Gunai Kurnai Nation. Workforce Plus expects all staff to respectfully work, live and study on Aboriginal Country.

Workforce Plus and MGA is required to comply with the Privacy and Data Protection Act 2014 (Vic) and Health Records Act 2001 (Vic) in respect to the handling of personal, sensitive and health information. Workforce Plus and MGA controlled entities are also required to comply with the Privacy Act 1988 (Cth) and will comply with the Victorian laws when handling personal, sensitive and health information. This policy is modelled on Australian privacy requirements, this now includes the Australian Privacy Principles (APP) privacy obligations as at March 2014.

Full documentation on the APP can be found in the links at the end of this policy.

This policy outlines:

- The principles that direct privacy management at Workforce Plus and MGA.
- The responsibilities of Workforce Plus and MGA, its staff, students and affiliates when handling personal, sensitive and health information (collectively referred to as personal information) across all locations.

Scope:

This policy applies to all staff, students, Board Directors and affiliates of Workforce Plus and MGA including contractors and partners providing services on behalf of Workforce Plus and MGA.

Information referred to in this policy includes student records (including personal information and training results), staff records (including personnel and payment records), and all other business data relating to clients of all types.

This policy does not replace or alter Workforce Plus/MGA's obligations under other laws, such as providing formal access to records under the Freedom of Information Act 1982 and the (APP) privacy obligations.

Policy Statement:

Principles

- 1.1.** Workforce Plus and MGA values the privacy of individuals and will foster a positive and respectful privacy culture which supports a relationship of trust between Workforce Plus and staff, students and third parties.
- 1.2.** Workforce Plus and MGA will apply and adhere to the Victorian Information Privacy Principles (IPP), the Victorian Health Privacy Principles (HPP), the Australian Privacy Principles (APP), and any other relevant laws as they apply to the entities, functions and activities of Workforce Plus and MGA. To the extent that inconsistencies or differences might exist in the global context, best practice privacy management will guide Workforce Plus and MGA in its actions to achieve compliance.
- 1.3.** Workforce Plus and MGA adopts a privacy by design approach, proactively incorporating privacy requirements, ensuring compliance with law, and enabling continuous improvement of privacy practices.
- 1.4.** Workforce Plus and MGA will prescribe its approach to responsible and transparent handling of personal information across the Workforce Plus and MGA in an accessible Workforce Plus and MGA Privacy Statement.
- 1.5.** Workforce Plus and MGA will ensure those covered by the scope of this policy are made aware of their responsibilities and will provide appropriate information and compliance training opportunities.

2. Responsibilities

- 2.1.** Privacy is everyone's responsibility and all staff, students and affiliates have an obligation to manage personal information collected, accessed, used, re-used or disclosed during their engagement with Workforce Plus and MGA in accordance with this policy, the Workforce Plus and MGA Privacy Statement, and associated information security, information management policies.
- 2.2.** Managers are required to ensure that privacy principles and practices are implemented locally, and suspected or actual breaches of this policy are reported in accordance with the Compliance Breach Management Procedure.
- 2.3.** The Workforce Plus and MGA Chief Executive Officer (CEO) is responsible for:
 - a)** Establishing the privacy management framework to enable communication and implementation of applicable privacy requirements.
 - b)** Reviewing privacy impact assessments.
 - c)** Providing privacy training, other education programs and advice.
 - d)** Monitoring compliance with this policy and reporting on complaints and breaches of this policy to internal governance bodies and external agencies as required.
 - e)** Investigating privacy breaches, incidents or complaints.
- 2.4.** The CEO oversees information security controls and responses to enable Workforce Plus and MGA to deliver effective protection of personal data held by Workforce Plus and MGA consistent with privacy management obligations across all its operations.
- 2.5.** The CEO is responsible for making determinations on external reporting on the recommendation in the event of a privacy breach.
- 2.6.** The CEO monitors compliance with this policy and reports on complaints and breaches of this policy to internal governance bodies and external agencies, as required.

3. Review

3.1. The CEO will review this policy at least every three (3) years in accordance with the Policy Governance Framework, and review and update the Workforce Plus and MGA Privacy Statement annually.

4. Type of information collected

4.1. Workforce Plus and MGA usually collect personal information about individuals directly from those individuals or their authorised representative.

Workforce Plus and MGA sometimes collect personal information from a third party or from a publicly available source, but only if:

the individual has consented to such collection or would reasonably expect us to collect their personal information in this way, or

if it is necessary for a specific purpose such as the investigation of a privacy complaint.

4.2. Workforce Plus and MGA only collect personal information for purposes which are directly related to our functions or activities under the Privacy Act 1988 (Privacy Act), Freedom of Information Act 1982 (FOI Act) or the Australian Information Commissioner Act 2010 (AIC Act), and only when it is necessary for or directly related to such purposes.

Workforce Plus and MGA will collect and securely store personal information including, but not limited to, postal addresses, email addresses and telephone numbers, where it has been provided for a specific purpose, for example feedback, on-going contact or subscription to a blog or newsletter.

With consent Workforce Plus and MGA will also collect sensitive information relating to client health when it is necessary.

5. Using our computers and data collection

5.1. Google Analytics uses cookies to collect information about which pages have been visited, length of time spent on the site, and navigation pathways (for example from a search engine, a link, an advertisement etc.) and screens selected. Information collected by cookies (including IP addresses) is transmitted to and stored by Google on servers in the USA.

6. Method of collection of other data

6.1. Personal and sensitive information is collected in a number of ways, including from business cards, direct email, online data entry, verbally, by fax and by mail.

7. Identifiers

7.1. Workforce Plus and MGA will assign unique identifiers to individuals where it is necessary in order to carry out one or more of its functions or activities. Workforce Plus and MGA will not make this unique identifier available to others and will not adopt as its own, a unique identifier that has been assigned by another agency. The exception to this is the Unique Student Identifier (USI) which has been assigned by ASQA to students to track people through the education system. Workforce Plus is required to report on USI-identified students. This reporting relates to participation only not academic results or health or welfare information.

8. Anonymity

8.1. Workforce Plus and MGA will give people the option to interact anonymously whenever it is lawful and practicable to do so. Where an individual opts for anonymity, staff will ensure the individual is aware that this will impact on the provision of training and other services.

9. Storage of information

9.1. Workforce Plus and MGA take steps to protect the personal information we hold against loss, unauthorised access, use, modification or disclosure, and against other misuse.

9.2. When the personal information that we collect is no longer required, we destroy or delete it in a secure manner, in accordance with the OAIC's Records Disposal Authority.

9.3. Personal information relating to day-to-day activity is maintained in an online database (Job Ready), which is password protected. In addition, individual staff members may maintain personal contacts lists' containing personal information required for them to perform their daily duties, which is also password protected.

9.4. Hardcopy information is held in secure locked cabinets.

10. Use and disclosure of information

10.1. Workforce Plus and MGA only use personal information for the purposes for which we collected it - purposes which are directly related to one of our functions or activities.

10.2. Workforce Plus and MGA do not give personal information about an individual to other Government agencies, private sector organisations or anyone else unless one of the following applies:

- the individual has consented
- the individual would reasonably expect, or has been told, that information of that kind is usually passed to those individuals, bodies or agencies
- it is otherwise required or authorised by law
- it will prevent or lessen a serious and imminent threat to somebody's life or health, or
- it is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue.
- Personal information relating to day-to-day business is used primarily for liaising about current and future business. When personal information has been provided for a specific reason for instance to receive blog updates it is used for this purpose. Personal information relating to current and prospective clients is also used for direct marketing purposes. As per APP 7, clause 7.2 (b) these clients would reasonably expect to receive occasional marketing from Workforce Plus/MGA.
- Workforce Plus/MGA will not share personal information with any other parties without permission unless it:
 - is required or authorised by law
 - will prevent or lessen a serious and imminent threat to someone's health
 - is basic contact information required for direct marketing activities.
 - Other than information collected by Google Analytics from our websites (see above), no personal or sensitive information is disclosed to overseas recipients.

11. Accessing your information

11.1 clients can access the personal information that Workforce Plus and MGA hold about their person, and can ask Workforce Plus and MGA to correct the personal information held about them.

11.2. The client may request access to or correction of personal information about them that Workforce Plus and MGA holds at any time. The client may opt out of any further contact from Workforce Plus and MGA. To protect individuals privacy and the privacy of others, Workforce Plus/MGA will need evidence of identity before information about a individual can be accessed or changed. Please contact Reception for further advice.

12. If you wish to make a complaint

12.1. Workforce Plus and MGA are bound by the Privacy Act 1988 (Cth), and the Privacy Amendment (Enhancing Privacy Protection) Act 2012. If you feel we have breached one or more of the APPs you complain directly to Workforce Plus/MGA in writing. If you have not received a response within 30 days, or are dissatisfied with the response, you can contact the Office of the Australian Information Commissioner (OAIC).

13. Definitions

Health information

Information or an opinion about an individual's physical, mental or psychological health; a disability; health services provided or future provision of health services; and a variety of other health matters (including information about organ or body substance donation and genetic information).

Personal data

Refers to any information relating to an identified or identifiable natural person, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Personal information

Information or an opinion, that is recorded in any form about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. Typically, this includes information like name, date of birth, address, phone number etc. Personal information includes personal data.

Privacy by design

The means for ensuring privacy protections are integrated in process and technology design.

Sensitive information

A special category of personal information that requires more protection. It includes the following information about an individual: racial or ethnic origin; political opinion; membership of a political association; religious beliefs or affiliations; philosophical beliefs; membership of a professional or trade association; membership of a trade union; sexual preference or practices; criminal record.

Other Information:

Type in text for **Other Information** here.

References to Standards and Legislation:

- : CWEALTH PRIVACY ACT 1988
- : PRIVACY (ENHANCING PRIVACY PROTECTION) ACT 2012
- : PRIVACY REGULATIONS 2013
- NVR Part 3:** Essential standards for continuing registration
- NVR Part 3:** Essential standards for continuing registration
- NVR Part 3:** Essential standards for continuing registration

- 0:**CWEALTH PRIVACY ACT 1988
- 01:**PRIVACY (ENHANCING PRIVACY PROTECTION) ACT 2012
- 01:**PRIVACY REGULATIONS 2013
- 15:**Essential standards for continuing registration
- 17:**SNR 17 Management systems are responsive to the needs of clients
- 20:**SNR 20 Compliance with legislation

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